



Virginia
Regulatory
Town Hall

Exempt Action Final Regulation Agency Background Document

Agency Name:	State Council of Higher Education for Virginia
VAC Chapter Number:	8 VAC 40-70
Regulation Title:	Tuition Assistance Grant Program Regulations
Action Title:	Amendment of TAG Regulations
Date:	June 6, 2002 (To be effective July 1, 2002)

Where a regulation is exempt in part or in whole from the requirements of the Administrative Process Act (§ 9-6.14:1 *et seq.* of the *Code of Virginia*) (APA), the agency may provide information pertaining to the action to be included on the Regulatory Town Hall. The agency must still comply the requirements of the Virginia Register Act (§ 9-6.18 *et seq.* of the *Code of Virginia*) and file the final regulation with the Registrar in a style and format conforming with the *Virginia Register Form, Style and Procedure Manual*. The agency must also comply with Executive Order Fifty-Eight (99) which requires an assessment of the regulation's impact on the institution of the family and family stability.

Note agency actions exempt pursuant to § 9-6.14:4.1(B) do not require filing with the Registrar a Notice of Intended Regulatory Action, or at the proposed stage. When the regulation is promulgated and submitted to the Registrar, the agency need only provide a statement citing the specific Virginia Code section referencing the exemption and an authority certification letter from the Attorney General's Office. No specific format is required.

This form should be used for actions **exempt from the Administrative Process Act pursuant to § 9-6.14:4.1(C)** at the final stage. Note that agency actions exempt pursuant to § 9-6.14:4.1(C) of the APA do not require filing with the Registrar a Notice of Intended Regulatory Action, and at the proposed stage.

Summary

Please provide a brief summary of the proposed new regulation, amendments to an existing regulation, or the regulation being repealed. There is no need to state each provision or amendment or restate the purpose and intent of the regulation, instead give a summary of the regulatory action and alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

Changes made to the Appropriations Act during the 2002 Session of the General Assembly necessitated amendments to these regulations. These legislative actions include a change to the timing of the notification of students regarding TAG awards and a change to the accreditation requirement for participating institutions. Additionally, at

its September 11, 2001 meeting, SCHEV approved changes to its TAG regulations including:

- Amending the definitions of “Eligible institution” and “Eligible program” to allow participation in TAG by graduate programs at institutions chartered by an Act of Congress;
- Implementing a deadline for domicile appeals; and

Providing guidance on how to treat students in a consortium agreement between two eligible institutions.

Statement of Final Agency Action

Please provide a statement of the final action taken by the agency including the date the action was taken, the name of the agency taking the action, and the title of the regulation.

At its meeting on May 22, 2002, the State Council of Higher Education approved the final Tuition Assistance Grant Program Regulations.

Family Impact Statement

Please provide an analysis of the regulatory action that assesses the impact on the institution of the family and family stability including the extent to which the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

These regulations provide guidance to SCHEV and the private not-for-profit colleges and universities in Virginia for the administration of the TAG Program (Section 23-38.11 et seq.). The TAG program provides eligible Virginia residents attending eligible private not-for-profit institutions with a non-need based grant to be used for college expenses. As a result the program assists students and their parents afford a college education. The amendments to the regulations do not affect the family or family stability.